



UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 14 2005

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

ACLARA BIOSCIENCES, INC.  
1288 PEAR AVENUE  
MOUNTAIN VIEW CA 94043

In re Application of:  
Hooperr et al.  
Serial No.: 09/938,439  
Filed: August 23, 2001  
Attorney Docket No.: 057.01US

DECISION ON PETITION TO  
WITHDRAW THE HOLDING  
OF ABANDONMENT

This is in response to applicants' petition under 37 CFR § 1.181(a) filed on April 7, 2003, requesting withdrawal of the holding of abandonment based on the timely filing of a response to the Office action mailed September 3, 2002. The delay in responding to this petition is regretted.

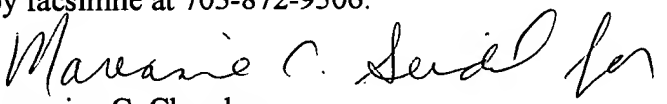
A review of the file history shows that the examiner mailed an Office action to applicants on September 3, 2002, setting a one-month statutory time period for reply. On March 20, 2003, the examiner mailed a notice of abandonment for failure to respond to the outstanding Office action.

Applicants state that a response to the Office action was filed on September 18, 2002, as evidenced by the post card identifying the papers filed and showing a USPTO date-stamped receipt of September 18, 2002.

In view of this evidence, applicants are considered to have submitted a timely reply.

Applicants' petition is **GRANTED** retroactively as this application is no longer in abandoned status.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile at 703-872-9306.

  
Jasemine C. Chambers  
Director, Technology Center 1600